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United States ~ Division of Naturalization

Annual Report of Chief of Division of Naturalization, 1912.

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ANNUAL REPORT OF

The Chief of the Division of Naturalization

TO THE COMMISSIONER GENERAL
OF IMMIGRATION

FOR THE FISCAL YEAR ENDING JUNE 30

1912



U.S. GOVERNMENT
PRINTING OFFICE
1912



*U.S. Bureau of Immigration and
Naturalization*

ANNUAL REPORT OF
The Chief of the Division of
Naturalization ^{of}

TO THE COMMISSIONER GENERAL
OF IMMIGRATION

FOR THE FISCAL YEAR ENDED JUNE 30

1912



WASHINGTON
GOVERNMENT PRINTING OFFICE
1912

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JUN 5 1929
C. S. Nicholoe

REPORT OF THE CHIEF OF THE DIVISION OF NATURALIZATION.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION,
DIVISION OF NATURALIZATION,
Washington, July 1, 1912.

SIR: The work of the Naturalization Service during the past fiscal year is summarized in the tables which follow, in appropriate order, in this report. From them may be obtained a general view of what has been accomplished under the provisions of the naturalization law during the year, and the figures therein furnish an accurate basis for speculation as to what may be anticipated hereafter.

The immediate effect of the passage of the act of June 29, 1906, as intimated in former reports, was to check naturalization, apparently because of an impression that its requirements were far more exacting than those under which citizenship had formerly been sought and acquired. Since the error involved in such impression has been disclosed by actual experience, the number of those annually applying for naturalization has gradually resumed the estimated normal figure of 100,000 plus the number induced by the seven-year limitation upon the life of declarations of intention. This limitation, which is original with the present law, must produce an even more marked effect upon the number who will hereafter be added to the estimated annual applicants—100,000—than the requirements of many of the trades-unions, or labor organizations, which exclude aliens from membership, or, perhaps, than the State and municipal legislation which confines certain employments and offices, as do the Federal civil-service and military rules, to American citizens, to say nothing of the effect of our public-land laws. A declaration of intention can not be used for the purpose of supporting a petition for citizenship until two years have passed after the date on which it was filed, nor after the expiration of seven years from that date. To avoid the necessity of filing a new declaration, therefore, and waiting two years more before becoming eligible to petition for citizenship, a large number hasten to take the latter step sooner than they otherwise would.

As may be inferred from the reported growth of business, the conditions as to the administrative means to keep abreast remain substantially as they were reported a year ago, and continue to be wholly inadequate. The Division has resorted to every known means of economizing time and labor, so as to realize from the resources at its command the maximum of efficiency, leaving undone what it can not accomplish, and placing confidence in the hope that, at some future time, appropriations adequate to the needs of the service may be granted. Until that time the administrative office can justly acquit itself of responsibility for the constantly reported arrearages of work as well as for the consequences thereof.

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TABLE I.—VOLUME OF MAIL HANDLED BY THE DIVISION OF NATURALIZATION, FISCAL YEARS 1910, 1911, AND 1912.

Item.	1910, total.	1911, total.	1912				
			First quarter.	Second quarter.	Third quarter.	Fourth quarter.	Total.
Incoming mail:							
Unregistered pieces.....	50,826	46,191	13,751	12,937	19,951	24,051	70,690
Registered pieces.....	13,599	14,539	3,000	3,577	3,902	4,110	14,589
Total.....	64,425	60,730	16,751	16,514	23,853	28,161	85,279
Average per working day....	210+	198+	238+	214+	314-	366-	284-
Outgoing mail:							
Letters.....	37,414	43,384	10,938	9,276	10,332	9,925	40,471
Form letters.....	34,157	42,185	10,248	14,010	19,933	24,442	68,633
Documents.....	12,004	2,231	466	455	476	456	1,853
Petition notices ¹		2,061	4,375	2,926	4,076	7,176	18,553
Total.....	83,575	89,861	26,027	26,667	34,817	41,999	129,510
Average per working day:							
Letters.....	122+	142-	154+	120+	136-	129-	135-
Form letters.....	111+	138+	145+	182-	262+	291+	228+
Documents.....	39+	7+	7-	6-	6+	6-	6+
Petition notices ¹		45-	62+	38	54-	93+	62-
Total.....	273+	332-	369+	346+	458+	545+	440-

¹ The use of petition notices was begun on May 8, 1911. They are used instead of letters to advise chief naturalization examiners of defects in petitions and dates of final hearings.

The above table presents in condensed form a comparative view of the correspondence of the Division during the past three years. The average number of pieces of mail received per day was 284, as compared with 210 during 1910 and 198 in 1911, an increase, respectively, of 35 and 43 per cent. The total pieces received, 85,279, consisted in many instances of large numbers of declarations, petitions, and certificates.

The total outgoing mail consisted of 129,510 pieces, an average of 440 pieces per working day. The corresponding figures of daily averages for 1910 and 1911, respectively, were 273 and 332, and the percentages of increase in the past year were 61 and 32, as compared with the same work in 1910 and 1911.

The extent to which the Division resorted to devices to economize the labor of letter writing is shown in the two items of outgoing mail, classified as form letters and petition notices, constituting of the total of 129,510 pieces of mail sent out, 68,633 and 18,553, respectively, and leaving 40,471 original letters. A description and sample of the petition notice were printed in the last annual report.

The form letters are forms established for use under substantially similar conditions, the name and address, or some varying particular, being typewritten in appropriate blank spaces left for the purpose. Examples of such form letters are authorities for the issuance of papers to take the place of originals lost or destroyed, letters to the General Land Office calling for original declarations or certificates filed with public-land claims, for which are substituted authenticated copies, letters in regard to securing certificates of arrival, correspondence in relation to notices to take depositions, etc.

The work of the accounts branch of the service is summarized in the two tables following.

WORK OF THE DIVISION.

The administration of the naturalization law has in each annual report, for convenience of consideration, been divided into work of the Division, work of the field service, work of the courts, etc., but it must be understood that the first-named heading covers all the work, both in the field and by the courts. A very large portion of it consists in supervising the work of the clerks of courts, the examination of all records made by them, the correction of errors in such records, the work incident to the requirements of the monthly and quarterly reports that the law exacts of them, the settlement of fee accounts, the control, with a view to economy, of the large amount of printed matter required, etc. Most of this work is transacted with the clerks of courts directly by correspondence, but a considerable amount has to be accomplished by personal attendance of the officers of the field service, especially in those States where the applications for citizenship are relatively few and the clerks have, therefore, not become familiar with the requirements of the law and regulations. Inability to pursue this course regularly because of the inadequate number of employees in the field service has resulted in many instances in the disappointment of applicants and in the loss of their time and money. Naturally, perhaps, though unreasonably, such results have bred a spirit of opposition to the new law, both on the part of those thus disappointed and their friends and on the part of some of the courts, who see the disappointment of worthy petitioners and feel that the latter are the victims of what appear at first as rather formal and technical requirements of law. The line of reasoning in such instances seems to be, in substance, that if the court is satisfied that the character of a petitioner is good it works an injustice to deny him citizenship, though without prejudice, simply because he has not complied with all of the law's requirements. It is with difficulty in such cases, and not without the effect referred to, that courts are induced to deny a petition after it is pointed out that to grant it is to do an injustice to the innocent applicant as much so as to transfer a defective title to real estate to an innocent purchaser for value. As was said by the court in the Spohrer case (175 Fed. R., 442), "An alien friend is offered, under certain conditions, the privilege of citizenship. He may accept the offer and become a citizen upon compliance with the prescribed conditions, but not otherwise. His claim is of favor, not of right. * * * It is his province, and he is bound to see that the jurisdictional facts upon which the grant is predicated actually exist, and if they do not he takes nothing by his paper grant."

The remedy, then, is not a disregard of any explicit requirement of the law on the theory that it is "technical"—that is, trivial or negligible—but such a training of the clerks of courts as will make them competent to advise applicants of all the conditions with which the latter are required to comply. This can best be accomplished by personal visits of the field officers to the various courts.



ANNUAL REPORT OF

The Chief of the Division of Naturalization

TO THE COMMISSIONER GENERAL
OF IMMIGRATION

FOR THE FISCAL YEAR ENDING JUNE 30

1912



WASHINGTON
GOVERNMENT PRINTING OFFICE
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TABLE II.—NUMBER OF ACCOUNTS HANDLED DURING THE FISCAL YEAR 1912 FOR WHICH THE EXPENDITURES WERE CHARGEABLE AGAINST THE APPROPRIATIONS NAMED.

Item.	Appropriation to which chargeable.	Number.
Office salary pay rolls.....	Division of Naturalization....	32
Field salary pay rolls.....	Field service.....	308
Field vouchers.....	do.....	622
Suspensions.....	do.....	185
Telephone.....	do.....	98
Rent.....	do.....	20
Additional assistants to clerks of courts.....	do.....	105
Miscellaneous.....	Contingent expenses of the Department.	1 408
Total.....		1,778

¹ Includes 338 vouchers for registry fees.

TABLE III.—NUMBER OF ACCOUNTS HANDLED DURING THE FISCAL YEAR 1912, CLASSIFIED BY FISCAL YEARS TO WHICH THEY RELATE.

	1907	1908	1909	1910	1911	1912	Total.
Transactions.....	1	12	27	52	1,932	3,623	5,647
No transactions.....	6	3	19	29	800	2,092	2,949
Total.....	7	15	46	81	2,732	5,715	8,596

One of the subjects that has specially engaged the consideration of the Division since the transfer to it of the field force has been a reduction in the cost of travel expenses. In districts of the size assigned to chief examiners, and with the varying facilities for transportation therein, the aggregate travel cost constituted a large item in the expense account, and offered a legitimate field for the exercise of painstaking economy. This involved a careful study of the means of transportation and the schedules of the various lines in each district, as well as the days set for hearings in the courts. This was followed, where the dates set conflicted with the scheme of having short distances traveled from one court to another holding a consecutive hearing, by efforts through the examiners to enlist the interest of the courts, both with a view to the reduction of the number of annual rule days and to such an arrangement of them as would avoid the necessity of examiners retracing their lines of travel until all the business occurring near the same time in a particular part of the country had been disposed of. For the observance of this plan by their subordinate officers the chief examiners are held accountable, and the Division maintains a strict supervision, through its information as to the dates and places of hearings, of the travel of its field officers, and requires an explanation of any deviation by them from the scheme thus roughly outlined.

The next feature to which the Division devoted its attention, in the effort to reduce travel expenses, was the method of purchase. The plan in operation, which is the same as that generally adopted by the departments, was the one of transportation orders, with which field officers purchased the tickets required for each particular trip, such orders being settled periodically by the disbursing officer of the Department with the lines which furnished the tickets. This is an

excellent plan for the purpose for which it was devised, but inquiry developed the fact that many transportation lines furnished mileage books upon prepayment at lower rates and there seemed to be no valid reason why these books could not be used with economy, certainly when there was a substantial difference in the cost of travel in favor of mileage books. Although it was informed that there were certain difficulties in the use of mileage books, the Division obtained the consent of the Department to make the experiment and accordingly inaugurated the plan. The result shows a total saving of \$2,200.75 during the fiscal year ended June 30, 1912, and no difficulties have arisen either in verifying the travel as official or in maintaining the accounts of expenditures.

The great bulk of the work of the Division consists of the examination of the naturalization papers filed in or issued out of the courts. It has never been possible, with the clerical aid supplied, to keep abreast of this work. Concluding the first year with a large number of papers not examined, that condition has grown more and more serious. With no provision made for bringing up the business in arrears, the allowances for clerks have not been increased at all in proportion to the annual growth of the business, and hence the amount undisposed of at the end of each fiscal year has been greater than that reported twelve months before. At the present time it must be stated that no examination of declarations of intention has been made since October, 1910, and not more than 30,000 certificates have ever been examined. Correction of errors in the latter papers are perhaps less necessary, but the declarations are used as the basis of petitions for naturalization, and defects in them may result in the denial of such petitions and a further delay of two years to the applicants for citizenship. Beginning with October, 1912, declarations which have not been examined will mature, and these aggregate 298,000 in number.

The clerks of the Division who are assigned to examination work are taxed to the limit in keeping abreast of the petition work, working overtime and having the aid of clerks who are from time to time shifted from correspondence and other work in order to have the examination of petitions completed before the dates set for hearing and in time to notify examiners and clerks of courts of the omissions and defects discovered.

Since the declaration of intention is a part of our system of naturalization, its retention must have been regarded as indispensable, and provision should therefore be made for such an administrative examination as will obviate the risk of this feature of the law operating as an obstruction to the acquisition of citizenship.

To any easy assumption that errors in a declaration may be corrected at the hearing of the petition, the answer is plain—that no change can be made if the declaration was filed, as it frequently is, in a court other than that in which such hearing is held. It has also been decided judicially that a declaration, complete in every respect, can not be changed because of even conceded error in its averments. It is therefore important that the discovery by prompt administrative examination, of a defect, either in the way of omission or error, be brought to the attention of a declarant and the clerk of the court in which his declaration is filed, so that either the paper may be corrected or the declarant may file a new declaration, and thus save time, expense, and ultimate disappointment.

If the object to be attained does not justify the additional expenditure that it involves, then the declaration, as a matter of common justice to applicants for citizenship, if not for the practical reasons stated on page 15 and following pages of the Report of the Commission on Naturalization to the President, dated November 8, 1905, should be stricken from the law. It may be suggested that the effect of such action upon the exercise by alien declarants of the elective franchise in certain States would be merely to cut off future supplies of such voters.

The following table shows the number of each kind of naturalization papers forwarded to the Division during the year, together with the percentages of increase or decrease, as compared with corresponding figures for the next preceding year. The last two columns show the increase over the number of each class of papers filed in 1909, the year before the Division was allowed full control of the subject by the transfer to it of the field service.

TABLE IV.—NUMBER OF DECLARATIONS AND PETITIONS FOR NATURALIZATION FILED, AND CERTIFICATES OF NATURALIZATION ISSUED, FISCAL YEARS 1909 TO 1912, WITH PERCENTAGES OF INCREASES.

Paper.	1909	1910		1911		1912		Increase, 1912 over 1909.	
	Number.	Number.	Increase over 1909.	Number.	Increase over 1910.	Number.	Increase over 1911.	Number.	Per cent.
Declarations.....	143,212	167,226	<i>Per ct.</i> 16.77	186,157	<i>Per ct.</i> 11.32	169,142	<i>Per ct.</i> 9.14	25,930	18.11
Petitions.....	42,178	55,038	30.49	73,644	33.81	95,627	29.85	53,449	126.72
Certificates.....	37,337	39,206	5.01	56,257	43.49	69,965	24.37	32,628	87.39
Total.....	222,727	261,470	17.39	316,058	20.88	334,734	5.91	112,007	50.29

¹ Decrease.

The most significant showing in the foregoing table is the fact that petitions, upon which the work of the Division is chiefly expended, both in the office and in the field service, have increased approximately 127 per cent since 1909. As bearing directly upon the means which the Division is furnished to discharge this one duty, a comparison is invited to the statement succeeding, which shows the increase during the same period in the clerical and field forces of the Division.

During the fiscal year 1911, 73,644 petitions for naturalization were filed and during the past fiscal year 95,627 petitions. The latter number is nearly equal to the combined number of 42,178 and 55,038 received during the fiscal years 1909 and 1910, respectively, and shows a steady increase of approximately 127 per cent in the number of petitions from 1909 to 1912. There were also 169,142 declarations of intention filed and 69,965 certificates of naturalization granted in 1912.

The total receipts for the year of naturalization papers of all three kinds in the Division of Naturalization was 334,734, representing an increase of 50.29 per cent since 1909.

Particular attention is directed to the number of declarations of intention filed during the year, as indicating the number to which

petitions for naturalization will increase annually before the maximum will be reached in this branch of the work. The growth in the number of petitions filed will continue until approximately the number of petitions equals that of declarations. This conclusion is based on the requirement of the law that all declarations of intention must be acted upon within the seven-year period or become invalid for all purposes thereafter.

The personnel of this office in 1909 comprised 24 clerks, 2 administrative officers, and 2 messengers. In 1910 an increase of 2 clerks was allowed. In 1911, upon the showing of the increases in the work, Congress provided 12 additional clerks and 2 additional messengers.

It was hoped that these additions to the personnel would be sufficient to cope with the increased volume of work. So large, however, has the increase in the number of petitions filed in 1912 been over those in 1910 and 1911, that it has not been possible to examine any declarations of intention since those filed in October, 1910, or to examine any certificates of naturalization beyond those issued during the years 1907 and 1908.

The present personnel consists of 38 clerks, 4 messengers, and the Chief and Assistant Chief of the Division. The clerical force is assigned as follows: Three to supervision, 1 to review work, 4 to correspondence, 10 to examining petitions for naturalization, 4 to files work, 3 to accounting, 1 to stationery and supplies, 1 on recording denials and miscellaneous work, 3 to furnishing certificates of arrival and authorizing the issuance of papers in lieu of lost certificates of naturalization and declarations of intention, and 8 to indexing and transferring. No assignment of employees of this office is made to the work of examining declarations of intention and certificates of naturalization, because, with the small force, it has been impossible to do any work along these lines beyond the time indicated above.

Notwithstanding former increases in the personnel and its continued inadequacy, every effort has been put forth to accomplish as much as possible. Voluntary overtime work has been performed by the force throughout the entire fiscal year, so that the extra work thus performed has been nearly equivalent to the time of three additional clerks.

In order to cope with the present conditions, the following additional assignment of clerks should be made: Six to examining work, 3 to correspondence work, 1 to the mail section of the work, 1 to the files work, 3 to indexing, and 2 to the messenger staff, and estimates will be submitted to the Department accordingly.

Inasmuch as the Government's portion of the fees which the law requires from alien applicants for citizenship has been more than adequate annually to pay for the Federal supervision, these estimates as submitted should be given favorable consideration, especially in view of the inadequate provisions for supervision now provided. The increases asked for will be well within the annual receipts from this source.

The fees received and covered into the Treasury during the past year were \$338,315.33, while the cost of the administration throughout the United States and for other purposes—such as envelopes, printing, and general office equipment—was \$257,678.99, leaving a balance of \$80,636.34.

Unfortunately the office space in which the clerical force and the files are quartered is both insufficient and badly arranged. This necessarily reduces the efficiency of the office work and occasions confusion and delay. The sixth floor of the Adams Building on F Street is occupied by the files, the file clerks, the accounting clerks, those engaged in examining naturalization papers, and those employed in handling the incoming and outgoing mail, as well as several correspondence clerks. On the second floor are located the offices of the Chief and Assistant Chief of the Division and of the remaining correspondence clerks. The intervening floors constitute a serious barrier to prompt and easy communication, necessitates the employment of additional messengers, the use of a private telephone system, and loss of much time by the correspondence clerks in going to and returning from the top floor to consult the files and for other purposes. The Division realizes that the Department is doing the best it can with the means at its disposal, and is therefore not calling attention to this condition in a spirit of captious complaint. It is one, however, so directly in conflict with efficiency and economy that it must be taken into consideration in passing upon the possible output of work by the present clerical force, especially in view of the fact that all communication between the Division and the Department is delayed by their occupancy of separate buildings.

WORK OF THE EXAMINERS.

With some slight changes the number and assignment of the examiners in the field remain as they were reported in the last annual report. There have been a few changes by separation from the service through death or resignation, some transfers from one district to another, and a few appointments, either to fill vacancies or to supply in a very small way the very general need of an increase in the number of examiners. These few additional appointments were made to districts where the demand for more examiners was most insistent, and therefore most effective, but possibly the need was as great or greater at other points. The results accomplished by the examiners continue to be as helpful to the courts and clerks of courts, to applicants for naturalization, and to the Division, as was reported a year ago. This experience, however, serves to make the Division more sensible of the necessity of an adequate field force, for it is in receipt daily of evidence of the ineffectiveness of legislation alone to accomplish its purposes in the absence of competent agents to supervise its enforcement. Uniformity in administration of the naturalization laws, particularly, is unattainable by other means, although the Division attempts to supply the deficiency in this respect as well as it can by correspondence, sometimes successfully, but often otherwise.

As stated elsewhere in this report, the examiners have succeeded in many instances in securing from the courts a reduction in the number of rule days for hearings, and in such a readjustment of them as would save unnecessary travel to attend all hearings in any locality in which the courts are in comparatively easy reach of each other. This has saved travel expense and permitted examiners to be present at a greater number of hearings, though it has not made their work any less arduous or any more regardful of business hours of work, or

granted the ordinary relief which night brings to the worker generally than was reported last year.

It seems necessary to point to a particular reason for the inadequacy of the examining force in the field, inasmuch as the appropriation of \$175,000 is \$25,000 in excess of the allowances made in 1909 for the same purpose when these officers were under the control of the Department of Justice. The larger appropriation is subject to charges for salaries of additional clerks of courts which were not made against the smaller one. On this account there was paid out during the fiscal year for the last-named purpose approximately \$30,000, leaving a balance of but \$142,000 for the field force. By reference to Table IV it will be seen that the petitions filed in 1909 aggregated 42,178, while there were filed during the past year 95,627. Thus, while the cases to be attended have increased about 127 per cent the amount available for the services of examiners is reduced by over \$5,000.

To turn to a more encouraging feature of the field work, though it emphasizes the need of an increased force, the Division reports with much satisfaction the standing given to examiners by the decision of the United States Supreme Court in the case of *Johannessen v. United States*, handed down May 27, 1912. This was an appeal from a district court, based upon the contention that the last-named court had erred, notwithstanding the express provision for the reversal of judgments of naturalization embodied in the act of June 29, 1906, in setting aside the order admitting the appellant to citizenship upon the ground that the Government was estopped, under the rule of *res judicata*, to question the order of admission after the close of the term at which it was made. The Supreme Court affirmed the order of the district court from which the appeal was taken.

The court said:

The foundation of the doctrine of *res judicata*, or estoppel by judgment, is that both parties have had their day in court. * * * Sound reason, as we think, constrains us to deny to a certificate of naturalization, procured *ex parte* in the ordinary way, any conclusive effect as against the public.

At another point in the opinion the court refers to section 11 of the act which allows the Government to intervene in the hearing of a petition for the purpose of opposing the admission of the petitioner, intimating that, though no such provision had been made, the Government would be entitled to exercise that right, and then clearly distinguishes the case at bar as an *ex parte* proceeding by saying:

What may be the effect of a judgment allowing naturalization in a case where the Government has appeared and litigated the matter does not now concern us.

The effect of this is to confirm the soundness of the theory upon which provision was made for the naturalization examiners. Without such examiners the Department would be as powerless to secure uniformity in the operation of the rule after a petition matures for hearing as it would be to secure that result in the work of the clerks of courts prior to hearings, unless it could insist upon the necessity of using exclusively the official blank forms supplied by it under section 3 of the act.

It follows naturally from what has been said that a competent examiner is a person of exceptional qualifications, natural and acquired. He must have extraordinary patience, courtesy, self-control,

and tact. It is an unprecedented thing in the experience of clerks of State courts to be called upon to listen to suggestions of Government officers as to the method they should pursue in doing their duty as court officers. It is not unusual for a Government officer to present himself in open court and report upon a case before the court for hearing, and even suggest to the judge, perhaps insistently, the order that should be made. And yet these things are being done daily throughout the country, and with growing acceptability to the judges and their clerks.

As an evidence of the efficient character of the work of the examiners, attention is particularly directed to Table V, in which it is shown that 162,283 witnesses were examined in the investigation of 82,581 petitions.

TABLE V.—RECAPITULATION OF NATURALIZATION FIELD WORK DURING THE FISCAL YEAR ENDED JUNE 30, 1912.

District.	Examinations.		Investigations.				Court hearings.				Visits to offices of clerks of courts.	
	Peti- tions.	Declara- tions.	Petitioners.		Witnesses.		Attended.		Number of hearings.	Admissions.		
			In person.	By cor- respond- ence.	Total.	In person.	By cor- respond- ence.	Total.		Without objec- tion.		Over objec- tion.
Boston.....	9,092	19,944	6,184	.....	6,184	10,109	.....	10,109	289	8,159	3	380
New York.....	10,389	10,873	22,107	.....	22,107	45,214	.....	45,214	853	18,316	.....	3,213
Philadelphia.....	(1)	(1)	7,215	114	7,329	13,535	.....	13,779	282	7,459	52	263
Pittsburgh.....	10,800	11,800	7,443	21	7,464	14,858	244	14,900	497	7,650	42	717
Chicago.....	9,238	3,806	2,330	2,330	12,125	19,468	5,073	24,541	816	9,234	20	808
St. Louis.....	5,118	7,346	2,208	4,403	6,611	4,582	8,640	13,222	882	2,687	63	900
St. Paul.....	7,799	12,551	3,080	4,656	7,696	9,324	5,124	14,448	776	7,396	63	677
Denver.....	1,492	2,045	968	1,948	1,842	1,182	1,960	3,142	340	1,012	55	260
San Francisco.....	4,016	6,740	2,732	1,949	4,681	5,440	4,026	9,466	371	3,428	112	397
Seattle.....	4,702	3,551	1,009	2,318	3,327	2,310	4,678	6,988	380	3,098	10	198
Washington, D. C.....	3,948	5,753	1,862	1,363	3,225	3,737	2,736	6,473	590	2,346	10	715
Total.....	67,494	84,409	64,459	18,122	82,581	129,759	32,523	162,282	6,304	70,815	460	8,467

! Unknown.

* Two unattended.

* Four unattended.

* 88 unattended.

* One unattended.

* 235 unattended.

With the small number of examiners in the service it has not been possible for all of the examinations of petitioners to be made in person, 18,122 having been made by correspondence. In the smaller districts, where the work of naturalization is more congested, as the Boston and New York districts, all examinations were made in person. Notwithstanding the large number of alien petitioners in the several districts, there were 5,974 court hearings attended, and of these the larger portion, or 3,680, were attended in person by members of the naturalization examining force. There were 9,635 petitions dismissed upon objections of the examiners and only 460 admitted over the objections of the representatives of the Government.

In addition to this work, all of which leads directly up to and includes the hearing of petitions for naturalization, the records of the courts in so far as naturalization is concerned were examined during 8,467 visits to the offices of the various clerks of courts, involving an examination of 67,494 petitions docketed and 84,409 declarations of intention filed.

This work was all accomplished by the small number of 10 chief examiners, 37 naturalization examiners, and 10 clerks.

Tables IX and X, showing investigations of certificates of naturalization irregularly issued and the results of prosecutions for violations of the naturalization laws, should be consulted as bearing directly upon the results achieved in these branches of the work by the investigations of the naturalization examiners in the regular conduct of the administrative supervision of the naturalization laws. Thirty-eight prosecutions were instituted under the Department of Justice as a result of the work of the naturalization examining force. These prosecutions brought about the sentencing of 14 violators of the law to penal institutions and in 3 cases sentences of both imprisonment and fine were imposed. Nine cases of punishment by fines only and 3 cases nol-prossed are also recorded. It is of important interest to note that no acquittals resulted from any of the actions instituted as the result of the work of the naturalization examiners, which is further evidence of the conservative character of these officers.

WORK OF THE COURTS.

During the year there have been few changes in courts exercising naturalization jurisdiction. Those changes have been principally in the way of relinquishment of the business by some of the State courts in localities where there were comparatively few applications for naturalization and where the Federal courts were of easy access to petitioners. The Division has rather encouraged such relinquishment, partly because of its insufficient means of supervision and partly because there is more assurance of careful clerical work, if the business, small in any event in those localities, is concentrated in a few courts, whose clerks would thus have enough work to constrain them to study and observe the requirements of the law and regulations, and to find in the increased number of cases an aggregate compensation less inadequate to the labor and care they are required to expend.

Notwithstanding a few such cases, there has been an increase of 28 in the number of naturalization courts since the close of last fiscal year, as the annexed table shows.

TABLE VI.—NUMBER OF STATE AND FEDERAL COURTS EXERCISING NATURALIZATION JURISDICTION DURING THE FISCAL YEARS 1907 TO 1912.

Court.	1907 ¹	1908	1909	1910	1911	1912
State.....	1,678	2,016	2,177	2,247	2,270	2,277
Federal.....	201	228	217	227	229	250
Total.....	1,879	2,244	2,394	2,474	2,499	2,527

¹ Nine months only.

The actual number of cases handled by the courts, as shown by the next table, was, for the fiscal year, 79,600, of which 9,635 petitions were denied and 69,965 granted.

Certificate.	1909	1910	1911	1912
Granted.....	37,337	39,206	56,257	69,965
Denied.....	6,341	7,781	9,017	9,635
Total.....	43,678	46,987	65,274	79,600

As compared with the number of cases disposed of by the courts in the fiscal year 1909, there has been an increase of 35,922, or more than 82 per cent, while for the same period the increase in denials has been 3,294, or more than 50 per cent.

The Division is encouraged to believe that the smaller proportionate increase in the denials is indicative of a growing familiarity on the part of the clerks of courts with the requirements of the law and a consequent increase in the care with which the naturalization papers are prepared. This view is confirmed by the fact that the courts are becoming more exacting in requiring a compliance with all the provisions, since they realize from experience that genuine consideration for applicants does not consist in granting citizenship which may be subject to question and cancellation on account of the neglect or disregard of some legislative requirement, whether such omitted requirement appears to be merely formal or to be substantial. For lack of sufficient space within the limits of a report, which to be read must be brief, it is not practicable to go into an analysis of the figures on this subject. The table following is therefore presented, which affords an opportunity to those interested of drawing their own conclusions in regard to the variations in the percentages of denials as compared with variations in the proportions of admissions.

Ohio.....	22	124	17	24	12	9	14	3	140	1	3	373	2,567	2,940	12.60
Oklahoma.....	8	47	6	20	2	8	3	7	42	1	4	148	2,107	255	58.04
Oregon.....	12	54	1	2	9	6	3	3	27	1	2	120	426	545	22.02
Pennsylvania.....	17	176	22	53	19	14	11	15	356	1	4	689	8,312	9,001	7.65
Rhode Island.....	3	3	8	2	2	2	1	1	3	1	1	18	1,196	1,213	1.48
South Carolina.....	1	1	1	1	1	1	1	1	3	3	1	6	27	33	18.18
South Dakota.....	4	14	7	1	1	9	1	5	22	3	1	85	483	568	14.96
Tennessee.....	2	2	3	6	1	1	1	1	4	2	2	8	64	72	11.11
Texas.....	3	28	3	6	5	5	2	8	37	2	1	102	632	734	13.90
Utah.....	1	10	6	5	1	2	2	2	11	1	1	40	256	296	13.51
Vermont.....	1	5	1	4	1	1	3	1	33	1	1	48	342	390	12.31
Virginia.....	1	4	3	2	1	1	1	1	20	1	1	31	204	235	13.19
Washington.....	26	142	6	39	21	18	11	2	133	5	5	413	1,667	2,080	19.96
West Virginia.....	1	19	1	3	1	1	3	2	27	1	2	62	210	272	22.79
Wisconsin.....	5	153	36	15	24	24	27	7	123	5	7	443	3,448	3,891	11.39
Wyoming.....	2	14	2	1	6	3	1	1	8	1	1	41	184	225	18.22
Total.....	99	2,881	383	1,180	373	415	324	101	3,184	74	93	9,635	69,965	79,600	12.10

1 Territory until admission to statehood.

It will be of interest to compare these figures with the corresponding table in the last annual report.

In the following table is presented a statement of the number of cases finally disposed of by the courts in eight of the States in which naturalization is most considerable, during the fiscal years 1911 and 1912. Increases are shown by all the States named, ranging from 10 per cent in California to 52 per cent in New York, which State showed an increase of only 28 per cent in 1911 over 1910.

TABLE VIII.—CASES DISPOSED OF BY COURTS IN CERTAIN STATES, FISCAL YEARS 1911 AND 1912.

State.	1911	1912	Per cent of increase.	State.	1911	1912	Per cent of increase.
California.....	3,349	3,692	10.24	Ohio.....	1,975	2,940	48.86
Illinois.....	5,985	6,817	13.90	Pennsylvania.....	7,746	9,001	16.20
Massachusetts.....	14,065	4,769	17.32	Washington.....	1,786	2,080	16.46
New York.....	13,076	19,867	51.93	Wisconsin.....	2,963	3,891	31.32

¹ Corrected; number erroneously stated last year as 3,137.

In addition to the foregoing work of the courts disposed of under the supervision of the Department of Commerce and Labor there was certain other business connected with the naturalization law which was transacted under the supervision of the Department of Justice, by reference from this Department, such as the enforcement of the penal provisions and the conduct of proceedings to cancel illegally obtained certificates.

While this is properly a subject for the report in detail by the Department of Justice, yet to give a complete review of the subject, and because such proceedings are inaugurated at the instance of the naturalization examiners, the annexed tables are presented.

TABLE IX.—VIOLATIONS UNDER SECTION 15.

District.	Referred to United States attorneys.	Certificates canceled.	Dismissed.	Discontinued.	Pending.	Violations which under Circular 107 were not prosecuted.
Boston.....	2	5	.....	2	21	.....
New York.....	9	13	1	1	48	1
Philadelphia.....	3	9	1	3	35	.....
Pittsburgh.....	10	50	1	.....	81	1
Chicago.....	29	20	1	1	24	.....
St. Louis.....	15	22	.....	.....	16	11
St. Paul.....	6	19	.....	.....	11	76
Denver.....	3	19	1	.....	11	12
San Francisco.....	19	11	1	1	17	.....
Seattle.....	3	9	.....	1	8	27
Washington, D. C.....	5	35	.....	4	35	1
Total.....	104	212	6	13	307	129

TABLE X.—RESULTS OF PROSECUTIONS FOR VIOLATIONS OF THE NATURALIZATION LAWS.

District.	Prosecutions.		Not-prosced.	Acquittals.	Number of fines.	Jail sentences.	Both fines and jail sentences.	Sentences suspended.	Amount of fines by courts.	Pending.
	Pending from last year.	During fiscal year.								
Boston.....										
New York.....	13	23	1		4	14	1	18	\$ 77	9
Philadelphia.....	1	5			2		1	2	\$ 65	1
Pittsburgh.....	5									5
Chicago.....	3	1	1							8
St. Louis.....		2					(*)		(*)	2
St. Paul.....		2								2
Denver.....	4		1		3				\$ 150	
San Francisco.....	4	4								8
Seattle.....	1	1					1		\$ 100	1
Washington, D. C.....										
Total.....	31	38	3		9	14	3	10	392	31

¹ Includes one case of conviction during previous fiscal year with sentence deferred and finally suspended.

² In United States Circuit Court, Southern District of New York.

³ One fine in United States district court, Williamsport, Pa., of \$10, and one in United States district court, Scranton, Pa., \$55.

⁴ Under indictment for perjury.

⁵ Witness who disregarded subpoena and sentenced for contempt, \$100 and costs of \$193.96, which court afterwards reduced to \$47 and 35 days in jail.

⁶ In United States district court, Chadron, Nebr.

⁷ In United States district court, Portland, Oreg.

WORK OF CLERKS OF COURTS.

The work disposed of by the clerks of courts is quite a distinct and separate feature from that handled by the courts themselves. The latter has already been shown. Of the former some idea may be obtained by a consideration of the following tabulated statements showing the number of naturalization papers filed during the year. The declarations of intention are prepared in triplicate, however, and the petitions for naturalization and certificates in duplicate, so that during the past year these officers prepared 507,426 declarations, 191,254 petitions, and 139,930 certificates of naturalization, or a total of 838,610 papers. This takes no account of papers issued in lieu of those lost or destroyed, or for use in filing and proving upon public-land claims, nor of certified copies of orders of cancellation under the provisions of section 15 of the naturalization law. The clerks are required also to make requisitions for original and subsequent supplies and account in the requisitions for the use of those already furnished, a record over which careful supervision is exercised in the Division, as the stationery item is a large one. The clerks must also post the names of all petitioners and their witnesses, with the dates of hearings as near as may be. Some examination must be made by them of those seeking to file papers to ascertain whether the latter are eligible to file such papers and as to the competency of the witnesses, if the naturalization examiners have not previously performed this service, so as to avoid the useless and disappointing results which would ensue if in either respect there should be a defect. At the beginning of each calendar month the clerks of courts are required to transmit to the Division duplicates of each declaration, petition, and certificate

of naturalization filed or issued during the preceding month in their offices, accompanied by a report which must show also the number of spoiled papers, and at the beginning of each quarter they must submit a stated account showing the total fees collected, accompanied by the one-half due the Government.

There is besides this a large amount of work occasioned by the return of papers for the correction of clerical errors and the supplying of omissions disclosed by the investigation of the examining clerks in the Division.

With this rather extensive list of duties imposed by the law upon the clerks, it is to be expected that delinquencies will occur. Such delinquencies are, generally speaking, in the offices of clerks where the filing of papers is occasional only, or where it has not been possible to give those officers the assistance of occasional visits by the examiners, for reasons fully set forth elsewhere in this report. The annexed table shows the number of clerks of courts habitually delinquent. The condition there indicated suggests the importance to good administration of an enlargement of the field force.

TABLE XI.—NUMBER OF COURTS, BY STATES AND TERRITORIES, EXERCISING NATURALIZATION JURISDICTION AND THE NUMBER WHICH ARE HABITUALLY DELINQUENT IN ACCOUNTING FOR NATURALIZATION BUSINESS TRANSACTED.

State or Territory.	Exercising jurisdiction.	Habitually delinquent.	State or Territory.	Exercising jurisdiction.	Habitually delinquent.
Alabama.....	29	14	Nebraska.....	94	17
Alaska.....	8	1	Nevada.....	17	4
Arizona.....	17	2	New Hampshire.....	13	1
Arkansas.....	58	33	New Jersey.....	22	4
California.....	62	3	New Mexico.....	26	2
Colorado.....	63	13	New York.....	67	2
Connecticut.....	12	.....	North Carolina.....	46	23
Delaware.....	4	1	North Dakota.....	52	3
District of Columbia.....	1	.....	Ohio.....	89	15
Florida.....	30	16	Oklahoma.....	70	27
Georgia.....	44	21	Oregon.....	36	4
Hawaii.....	9	1	Pennsylvania.....	69	10
Idaho.....	30	3	Rhode Island.....	3	.....
Illinois.....	115	28	South Carolina.....	22	12
Indiana.....	92	27	South Dakota.....	60	9
Iowa.....	108	20	Tennessee.....	28	15
Kansas.....	106	23	Texas.....	180	88
Kentucky.....	67	30	Utah.....	28	8
Louisiana.....	39	16	Vermont.....	14	5
Maine.....	16	.....	Virginia.....	65	32
Maryland.....	25	8	Washington.....	43	1
Massachusetts.....	18	1	West Virginia.....	49	8
Michigan.....	92	16	Wisconsin.....	73	1
Minnesota.....	99	5	Wyoming.....	15	4
Mississippi.....	62	21			
Missouri.....	107	55			
Montana.....	33	1			
			Total.....	2,527	652

It is obvious that such delinquencies increase the demands upon the clerical force of the Division and retard the prompt transaction of business.

Before leaving this subject it is deemed but just to say that the clerks of courts are generally competent and painstaking officers and that they endeavor to cooperate with the Division in a careful and effective enforcement of the law. Much of the success attained is due to them.

In the table following is given, by quarters of the fiscal years shown, a statement of the amount of fees transmitted by the clerks to the Division.

TABLE XII.—RECEIPTS OF NATURALIZATION FEES,¹ ARRANGED BY QUARTERS, FISCAL YEARS ENDED JUNE 30, 1907 TO 1912.

Fiscal year.	First quarter.	Second quarter.	Third quarter.	Fourth quarter.	Total.
1907 ²					\$65,129.00
1908.....	\$26,307.00	\$32,753.50	\$49,554.00	\$58,259.40	166,873.90
1909.....	42,285.03	45,945.85	40,091.00	43,880.25	172,202.13
1910.....	38,098.91	42,710.94	60,852.90	80,103.63	221,766.38
1911.....	55,497.20	60,645.12	81,481.95	83,927.25	280,551.52
1912.....	57,188.95	67,580.85	100,806.60	112,738.93	338,315.33
Grand total.....					1,254,838.26

¹ It should be remembered that the total of these fees does not balance with the number of papers filed, because in an office in which the fees reach a total of \$6,000 in any fiscal year the entire subsequent collections of such office in said year are remitted to the Division instead of the one-half.

² For 9 months only.

TABLE XIII.—DECLARATIONS OF INTENTION AND PETITIONS FOR NATURALIZATION FILED AND CERTIFICATES OF NATURALIZATION ISSUED,
FISCAL YEAR ENDED JUNE 30, 1912, BY STATES AND TERRITORIES.

DECLARATIONS OF INTENTION FILED.

State or Territory.	Number of courts.		First quarter.		Second quarter.		Third quarter.		Fourth quarter.		Grand total.	
	Fed- eral.	State. Total.	In Fed- eral courts.	In State courts.	In Fed- eral courts.	In State courts.	In Fed- eral courts.	In State courts.	In Fed- eral courts.	In State courts.		
Alabama.....	5	24	69	3	72	4	60	62	6	56	4	60
Alaska.....	8	8	58	.....	54	.....	54	78	.....	56	.....	56
Arizona.....	5	12	17	17	62	19	73	25	43	68	82	96
Arkansas.....	9	49	58	31	39	8	28	718	8	17	12	29
California.....	4	58	62	851	1,625	1,321	767	2,088	1,091	745	1,062	1,807
Colorado.....	2	61	63	33	242	234	34	268	280	69	291	360
Connecticut.....	2	10	12	304	632	534	265	800	277	349	325	674
Delaware.....	1	3	4	41	46	2	36	43	1	44	3	47
District of Columbia.....	1	1	83	.....	83	.....	79	79	101	81	81	81
Florida.....	6	24	30	50	76	77	79	156	51	154	26	26
Georgia.....	9	35	44	3	41	9	46	96	6	101	59	64
Hawaii.....	1	8	9	16	29	11	15	26	24	5	5	5
Idaho.....	1	30	29	176	205	146	38	184	145	46	48	100
Illinois.....	5	110	633	2,967	3,590	2,817	668	24	3,884	169	229	273
Indiana.....	3	89	92	60	173	89	253	683	4,577	706	4,008	4,714
Iowa.....	4	104	108	1	438	464	149	76	639	306	142	501
Kansas.....	2	104	106	4	104	108	10	139	125	209	214	614
Kentucky.....	8	69	67	24	49	33	39	72	18	26	58	58
Louisiana.....	6	33	39	86	18	136	43	179	132	28	98	113
Maine.....	2	14	16	86	201	103	60	165	27	159	15	159
Maryland.....	2	23	25	99	201	103	105	165	91	200	71	221
Massachusetts.....	2	16	18	114	213	145	174	319	126	216	172	240
Michigan.....	6	86	92	15	1,055	1,069	1,963	3,178	1,993	3,108	2,090	3,678
Minnesota.....	12	87	99	110	1,215	1,062	1,089	1,742	1,467	1,794	24	1,507
Mississippi.....	9	53	62	19	33	6	9	138	128	1,595	92	1,534
Missouri.....	9	98	107	569	34	553	41	15	40	17	11	6
Montana.....	2	31	33	616	620	557	594	960	907	730	621	63
Nebraska.....	2	92	94	692	662	596	567	8	965	840	7	847
Nevada.....	1	16	17	93	35	79	1	430	431	55	55	55
New Hampshire.....	2	11	13	34	1,618	241	10	178	179	178	3	182
New Jersey.....	1	21	22	6	1,785	1,789	241	1,645	1,649	1,615	3	1,612
New Mexico.....	7	19	26	12	46	59	4	33	11	188	11	188
New York.....	5	62	67	3,139	10,436	8,004	2,984	7,965	10,889	8,553	3,121	11,674
North Carolina.....	9	37	46	2	5	11	14	11	14	31	14	45
North Dakota.....	3	49	52	247	863	335	18	423	441	448	1,405	1,405
Ohio.....	3	86	89	1,192	1,384	1,590	306	1,345	1,455	1,461	1,405	1,860

Oklahoma.....	2	68	34	2,277	2,527	12,794	25,072	37,866	14,732	28,563	43,325	12,869	30,389	43,268	13,595	31,098	44,693	169,142
Oregon.....	2	34	21															
Pennsylvania.....	9	60	2,010															
Rhode Island.....	2	1	375															
South Carolina.....	5	17	22															
South Dakota.....	1	59	60															
Tennessee.....	8	20	32															
Texas.....	21	159	28															
Utah.....	2	27	14															
Vermont.....	12	12	54															
Virginia.....	11	37	43															
Washington.....	16	33	49															
West Virginia.....	2	71	73															
Wisconsin.....	1	14	15															
Wyoming.....																		
Total.....	260	2,277	2,527															

PETITIONS FOR NATURALIZATION FILED.

Alabama.....	5	24	29	40	40	29	29	29	29	29	29	29	29	29	29	29	29	29
Alaska.....	8	12	17	22	22	17	22	22	22	22	22	22	22	22	22	22	22	22
Arizona 1.....	5	49	58	13	13	58	13	13	13	13	13	13	13	13	13	13	13	13
Arkansas.....	4	58	62	92	92	62	92	92	92	92	92	92	92	92	92	92	92	92
California.....	2	61	63	15	15	63	15	15	15	15	15	15	15	15	15	15	15	15
Colorado.....	2	10	12	157	157	12	157	157	157	157	157	157	157	157	157	157	157	157
Connecticut.....	1	3	4															
Delaware.....	1	1	1															
District of Columbia.....	1	1	1															
Florida.....	6	24	30	34	34	30	34	34	34	34	34	34	34	34	34	34	34	34
Georgia.....	9	35	44	23	23	44	23	23	23	23	23	23	23	23	23	23	23	23
Hawaii.....	1	8	9	12	12	9	12	12	12	12	12	12	12	12	12	12	12	12
Idaho.....	3	27	30	8	8	30	8	8	8	8	8	8	8	8	8	8	8	8
Illinois.....	5	110	115	356	356	115	356	356	356	356	356	356	356	356	356	356	356	356
Indiana.....	3	89	92	88	88	92	88	88	88	88	88	88	88	88	88	88	88	88
Iowa.....	4	104	106															
Kansas.....	2	104	106															
Kentucky.....	8	59	67	10	10	67	10	10	10	10	10	10	10	10	10	10	10	10
Louisiana.....	6	33	39	85	85	39	85	85	85	85	85	85	85	85	85	85	85	85
Maine.....	2	14	16	57	57	16	57	57	57	57	57	57	57	57	57	57	57	57
Maryland.....	2	23	25	73	73	25	73	73	73	73	73	73	73	73	73	73	73	73
Massachusetts.....	2	16	18	668	668	18	668	668	668	668	668	668	668	668	668	668	668	668
Michigan.....	6	86	92	5	5	92	5	5	5	5	5	5	5	5	5	5	5	5
Minnesota.....	12	87	99	69	69	99	69	69	69	69	69	69	69	69	69	69	69	69
Mississippi.....	9	53	62	7	7	62	7	7	7	7	7	7	7	7	7	7	7	7
Missouri.....	9	98	107	274	274	107	274	274	274	274	274	274	274	274	274	274	274	274
Montana.....	2	31	33	3	3	33	3	3	3	3	3	3	3	3	3	3	3	3
Nebraska.....	2	92	94															

1 Territorial courts until admission to statehood.

TABLE XIII.—DECLARATIONS OF INTENTION AND PETITIONS FOR NATURALIZATION FILED AND CERTIFICATES OF NATURALIZATION ISSUED, FISCAL YEAR ENDED JUNE 30, 1912, BY STATES AND TERRITORIES—Continued.

PETITIONS FOR NATURALIZATION FILED—Continued.

State or Territory.	Number of courts.			First quarter.			Second quarter.			Third quarter.			Fourth quarter.			Grand total.
	Fed-eral.	State.	Total.	In Fed-eral courts.	In State courts.	Total.	In Fed-eral courts.	In State courts.	Total.	In Fed-eral courts.	In State courts.	Total.	In Fed-eral courts.	In State courts.	Total.	
Nevada.....	1	16	17	1	27	28	41	41	88	88	95	95	1	95	95	253
New Hampshire.....	2	11	13	8	8	16	136	136	95	95	118	118	7	118	125	376
New Jersey.....	1	21	22	820	820	820	742	742	1,181	1,181	1,394	1,394	12	1,394	1,417	4,137
New Mexico.....	7	19	26	17	8	25	9	23	15	15	36	36	1,232	36	45	1,119
New York.....	5	62	67	1,059	3,271	4,330	945	4,568	5,312	5,312	6,437	6,437	1,252	6,387	7,639	22,964
North Carolina.....	9	37	46	3	6	9	3	4	15	10	25	25	4	6	10	46
North Dakota.....	3	49	52	449	449	449	400	400	819	819	869	869	433	1,115	1,548	2,201
Ohio.....	3	86	89	101	550	651	699	784	231	819	1,060	1,060	6	6	6	4,033
Oklahoma.....	2	68	70	42	42	43	43	45	54	54	56	56	44	44	50	194
Oregon.....	2	34	36	6	103	109	17	143	22	252	252	274	29	313	342	868
Pennsylvania.....	9	60	69	1,636	644	2,280	1,479	668	2,410	745	3,155	3,155	2,450	1,043	3,493	11,075
Rhode Island.....	2	1	3	171	171	217	217	217	301	301	301	301	523	523	523	1,212
South Carolina.....	5	17	22	12	12	12	14	15	13	2	2	8	8	8	16	58
South Dakota.....	1	59	60	2	131	133	143	143	167	167	188	188	20	20	20	681
Tennessee.....	8	20	28	18	18	18	5	22	25	26	26	26	20	20	20	974
Texas.....	21	159	180	63	120	173	53	102	155	151	202	353	13	81	212	324
Utah.....	1	27	28	11	51	62	7	78	77	75	92	92	13	79	92	365
Vermont.....	2	12	14	67	67	68	39	42	70	70	188	188	2	188	2	215
Virginia.....	11	54	65	36	3	39	34	36	67	64	71	71	60	60	60	678
Washington.....	6	37	43	126	299	425	136	518	190	190	548	548	177	501	578	2,368
West Virginia.....	16	33	49	25	24	49	39	63	53	66	119	119	45	51	96	335
Wisconsin.....	2	71	73	53	667	720	52	974	85	85	1,326	1,326	65	1,502	1,567	4,672
Wyoming.....	1	14	15	4	47	51	10	69	16	16	59	59	17	85	102	297
Total.....	250	2,277	2,527	5,541	11,984	17,525	5,444	13,602	19,046	7,674	19,964	27,638	8,398	23,020	31,418	95,627

CERTIFICATES OF NATURALIZATION ISSUED.

State or Territory.	Number of courts.		First quarter.			Second quarter.			Third quarter.			Fourth quarter.			Grand total.	
	Fed-eral.	State.	Total.		In Fed-eral courts.	Total.		In Fed-eral courts.	Total.		In Fed-eral courts.	Total.		In Fed-eral courts.		Total.
Alabama.....	5	24	29	29	15	3	18	12	12	36	36	7	7	7	3	10
Alaska.....	8	12	20	20	28	21	28	21	21	27	27	44	44	4	44	120
Arizona.....	5	58	17	17	15	1	16	20	14	24	24	6	6	7	13	83
Arkansas.....	9	49	58	58	16	3	19	4	4	3	3	7	7	4	11	38
California.....	4	58	62	62	51	685	736	47	507	55	846	901	74	969	1,033	3,224
Colorado.....	2	61	63	63	22	86	108	22	182	28	28	152	152	71	223	663
Connecticut.....	2	10	12	12	79	102	181	189	222	148	148	301	301	277	301	528

REPORT OF CHIEF OF DIVISION OF NATURALIZATION.

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Delaware.....	1	3	4	3	3	6	37	1	38	14	14	36	36	94
District of Columbia.....	6	1	30	12	2	46	51	20	51	32	32	41	41	170
Florida.....	1	24	44	9	1	14	17	5	31	75	75	57	57	107
Georgia.....	0	35	9	5	3	9	17	1	22	32	32	20	20	88
Hawaii.....	0	8	1	3	3	8	13	5	14	7	7	12	12	44
Idaho.....	1	27	30	1	56	57	7	79	86	11	11	65	65	205
Illinois.....	5	110	115	73	857	930	336	1,352	1,016	483	483	1,489	1,489	5,642
Indiana.....	3	80	92	1	85	85	99	93	192	1	1	75	75	713
Iowa.....	4	104	108	1	202	203	6	172	172	3	3	147	147	303
Kansas.....	2	104	106	1	48	49	6	114	120	56	56	73	73	161
Kentucky.....	8	59	67	1	23	23	6	11	20	11	11	12	12	75
Louisiana.....	6	33	39	1	15	15	16	14	20	3	3	92	92	111
Maine.....	2	14	16	37	17	104	23	39	179	61	61	16	16	362
Maryland.....	2	23	25	60	57	126	60	40	62	44	44	15	15	333
Massachusetts.....	2	16	18	473	521	994	736	274	1,010	707	707	69	69	468
Michigan.....	6	86	92	4	628	632	48	490	481	4	4	759	759	1,409
Minnesota.....	12	87	99	70	380	430	63	656	718	70	70	867	867	2,417
Mississippi.....	9	53	62	7	11	11	301	8	9	6	6	112	112	2,604
Missouri.....	9	98	107	91	22	113	1	187	310	146	146	181	181	46
Montana.....	2	31	33	2	119	121	1	172	172	2	2	181	181	783
Nebraska.....	2	92	94	2	117	117	1	172	172	2	2	283	283	790
Nevada.....	1	16	17	2	20	20	51	25	25	8	8	47	47	573
New Hampshire.....	2	11	13	2	49	51	59	59	59	8	8	147	147	133
New Jersey.....	1	21	22	14	835	835	1	376	376	900	900	880	880	2,991
New Mexico.....	7	10	26	1	18	18	1	2,147	3,101	937	937	5,320	5,320	17,927
New York.....	5	62	67	934	2,503	3,437	954	4	3,101	937	937	1,026	1,026	2,991
North Carolina.....	9	37	46	1	324	324	4	550	550	1	1	8	8	71
North Dakota.....	3	40	52	58	507	565	80	492	572	284	284	474	474	1,632
Ohio.....	3	98	80	10	34	34	75	28	572	447	447	713	713	2,587
Oklahoma.....	2	68	70	10	58	58	6	84	90	77	77	151	151	107
Oregon.....	2	34	36	10	1,913	1,913	6	286	1,424	641	641	561	561	425
Rhode Island.....	0	60	60	1,317	602	1,317	1,158	286	1,424	1,465	1,465	2,308	2,308	8,312
South Carolina.....	2	17	22	2	287	287	376	1	376	150	150	380	380	1,105
South Dakota.....	5	50	50	2	58	58	4	214	216	4	4	13	13	27
Tennessee.....	1	50	50	7	64	64	2	214	216	4	4	13	13	27
Texas.....	8	20	28	3	98	98	14	14	16	27	27	17	17	483
Utah.....	21	159	180	7	93	98	10	103	163	22	22	81	81	483
Vermont.....	1	27	28	13	85	139	60	41	163	47	47	17	17	64
Virginia.....	2	12	14	62	12	74	27	6	43	38	38	44	44	632
Washington.....	11	54	43	169	399	399	84	241	325	123	123	108	108	242
West Virginia.....	6	37	43	8	111	111	27	26	83	18	18	46	46	204
Wisconsin.....	16	33	49	8	645	717	38	853	893	42	42	72	72	1,667
Wyoming.....	1	1	15	4	41	45	8	35	43	12	12	1,176	1,176	3,448
Total.....	260	2,277	2,527	4,215	10,205	14,420	5,138	9,913	15,081	5,133	12,084	17,197	16,414	69,965

¹ Territorial courts until admission to statehood.

It seems to the Division, as has been intimated in former reports, that the practical value of these tables would be greatly increased if to the mere numerical record of those admitted annually to citizenship there was added the information as to the racial sources, or at least the country from which these adopted citizens come. This information is contained, as to country of allegiance, in the records, and could be compiled readily if the clerical aid necessary could be secured. Enough has already been said as to the arrearages in the office work, and their steady increase, to show that at present such a compilation is entirely beyond the power of the Division.

On January 27, 1912, the naturalization records and blank supplies of the circuit court for Yalobusha County, located at Water Valley, Miss., were destroyed by fire. While such occurrences are comparatively rare, yet they are sufficiently serious to those affected to show the wisdom of one of the reasons for maintaining duplicate records in this Division. Whether or not lost records are restored by supplying copies of those destroyed, the interests of those who might otherwise be deprived of all evidence of citizenship, as was the case with many after the destruction of San Francisco in 1906, are protected by section 28 of the naturalization act, which makes certified copies equally admissible in evidence as the originals; also they may always be obtained from the duplicate originals on file in this Division.

As shown by the tables included in this report, there are more than 2,500 courts engaged in exercising jurisdiction to naturalize aliens. There must, therefore, be upward of 2,500 clerks of courts occupied in the preparation of the great number of papers, reports, accounts, etc., already mentioned. It is of course impossible to state the exact number of such clerks actually engaged in this work or to estimate even approximately the proportion of their time so employed. Each clerk is given by law, in payment for this work, one-half of the fees payable by and collected from the applicants, whether he does the work himself, in whole or in part, or employs a deputy. Under this arrangement the feature of compensation is automatic, self-operative, the collections bearing a fixed ratio to the amount of business transacted. Plainly this is an equitable method of compensation, irrespective of the question as to the adequacy of the amount of compensation, and, as was anticipated by the framers of the law, has operated with unvarying success both as to securing sufficient clerical force in the offices of the courts and in the prompt payment for the services rendered.

The law, however, limited the operation of this rule to aggregate annual collections of \$6,000 or less by any clerk of court, providing that no part of the collections in excess of that amount should be retained in any fiscal year by any clerk, but that all such excess should be remitted to the Government and covered into the miscellaneous receipts of the Treasury Department. The law also provided that the half of the fees so retained by the clerks should be used to pay for any additional assistance that might be required to discharge the duties imposed upon them by the naturalization act, and gave to the Secretary of Commerce and Labor authority, in his discretion, to make additional allowances to the clerks of courts collecting more than \$6,000, not to exceed one-half of their total annual collections, for the payment of such further clerical assistance as might be required to dispose of the naturalization business of their respective offices.

This last mentioned provision proved to be inoperative because no specific appropriation was made available for carrying it out.

The practical result of this construction of the law was the termination of naturalization business in some of the clerks' offices as soon as the collections reached the limit of \$6,000 in a fiscal year, to the great inconvenience of applicants for citizenship. Such a condition called for a speedy remedy, and accordingly a few words were added to the terms of the appropriation for the field service, by which, at first with a limit of \$25,000 and subsequently without any limitation, that appropriation was made available to the Secretary to pay for additional clerks of courts under the conditions specified. On the first occasion, these words were added after the amount needed for the field service was agreed upon and fixed in the bill reported by the committee for adoption by the House. Singularly, the same course appears to have been followed since then. This statement is made because, each year since the device above described was resorted to, there has been less than \$150,000 available for the field service, although that was the least amount provided therefor prior to 1910, since which time the naturalization business and the consequent demands upon the field service have greatly increased.

The following table shows the situation in this respect in exact figures:

TABLE XIV.—APPROPRIATIONS FOR THE FIELD FORCE, AND AMOUNTS PAID OUT OF THESE APPROPRIATIONS FOR EMPLOYMENT OF ADDITIONAL ASSISTANTS TO CLERKS OF COURTS, 1908 TO 1912.

Fiscal year.	Total appropriation.	Number of additional assistants allowed to clerks of courts.	Amount expended for additional assistants to clerks of courts.	Amount expended for field force.	Total amount expended.
1908 ¹	\$193,000				
1909 ¹	150,000				
1910.....	150,000	19	\$8,598.92	\$108,606.76	\$117,205.68
1911.....	152,861	25	19,348.29	132,019.86	151,368.15
1912.....	175,000	32	30,344.30	142,490.12	172,834.42

¹ The field force was under the Department of Justice during 1908 and 1909.

In its practical effect, the plan devised for furnishing additional clerks to offices where receipts exceed \$6,000 per annum reduces the funds available for the field force as the work required of that branch of the service increases. The Secretary is confronted by the conflicting claims on the one hand for more assistant clerks of courts to prepare the papers of applicants for citizenship, and thus save the latter from delay, and, on the other hand, for such an increase in the number of examiners as will insure an investigation of the increased number of cases in time for the hearings thereof. If the total amount allowed is insufficient, one or the other of these essentials of good administration must be curtailed. How these artificially conflicting claims have fared is shown in Table XIV. Taking into consideration but one feature of the work, the case may be stated thus: In 1909 there were filed 42,178 petitions, the field service had \$150,000 for its requirements, and no additional clerks of courts were allowed; in 1912 the number of petitions had increased to 95,627, the amount the field service had was \$142,490.12, and 32 additional clerks of courts were allowed at a cost of \$30,344.30.

No comment can add anything to the force of the argument presented by these facts in favor of a change in the present system of providing for the employment of additional clerks of courts, unless Congress can see the need of increasing the lump appropriation for the two purposes so as to make provision for an adequate, or perhaps it may be better expressed, a less inadequate force of examiners, the importance of whose services has been already set forth in this report.

FINANCIAL.

In the following tabulated statements will be found the various items aggregating the total of expenditures and receipts during the past year.

TABLE XV.—ITEMIZED STATEMENT OF RECEIPTS AND EXPENDITURES DURING THE FISCAL YEAR 1912.

Receipts:			
First quarter.....		\$57,188.95	
Second quarter.....		67,580.85	
Third quarter.....		100,806.60	
Fourth quarter.....		112,738.93	
			\$338,315.33
Expenditures:			
Salaries, Division of Naturalization.....	55,529.97		
Salaries, travel, and miscellaneous expenses, field force.....	142,490.12		
Salaries of special assistants to clerks of courts.....	30,344.30		
Expenditures from contingent appropriation of Department—			
Stationery supplies.....	\$4,630.00		
Paper and envelopes.....	4,906.86		
		9,536.86	
Expenditures from printing allotment of Department—			
For Division.....	1,244.77		
For field force.....	955.97		
For clerks of courts.....	11,969.89		
		14,170.63	
Expenditure for engraving certificates of naturalization forms by the Treasury Department.....	1,807.11		
Rent of offices of Division at Washington, D. C.....	3,800.00		
			257,678.99
Excess of receipts over expenditures during 1912.....			80,636.34

TABLE XVI.—RECEIPTS FROM NATURALIZATION FEES AND DISBURSEMENTS FROM VARIOUS APPROPRIATIONS FOR THE ENFORCEMENT OF THE NATURALIZATION LAWS AND FOR RENTS, SUPPLIES, AND MISCELLANEOUS EXPENSES, FISCAL YEARS 1907 TO 1912.

Year.	Receipts.	Expenditures.	Deficit.	Surplus.
1907.....	\$65,129.00	\$29,243.18		\$35,885.82
1908.....	166,873.90	232,728.05	\$65,854.15	
1909.....	172,202.13	194,428.45	22,226.32	
1910.....	221,766.38	176,415.98		45,350.40
1911.....	290,551.52	222,831.15		67,720.37
1912.....	338,315.33	257,678.99		80,636.34
Total.....	1,254,838.26	1,113,325.80	88,080.47	229,592.93
Less deficits.....				88,080.47
Excess of receipts over expenditures.....				141,512.46

¹ Included in these expenditures are appropriations to the Department of Justice for maintenance of field force prior to the transfer to the Department of Commerce and Labor, to wit: Fiscal year 1908, \$193,000; fiscal year 1909, \$150,000.

Attention is drawn to the fact that in the items of expenditure there has been included every outlay, from whatever appropriation drawn, which has been made on account of the naturalization service, so that the entire cost of the service may be known.

If some of these items seem large, as, for example, the cost of stationery and printing, it must be remembered that it is expended for the use of the courts throughout the United States—more than 2,500—for the field service and for the Division. Some idea of the amount of such material may be formed by a consideration of the statement of the correspondence of the Division given elsewhere in this report, and of the 800,000 and more of naturalization papers prepared by the clerks of courts. The necessity for the careful scrutiny which the Division exercises over all requisitions for such supplies will readily be perceived when the great consumption, over such a wide area, of official stationery is considered.

Notwithstanding all the expenditures that have been made during the year the receipts have been in excess thereof to the amount of \$80,636.34. This fact is cited, not because the Division believes that a public service should be judged, as a business undertaking, by the amount of money left after the payment of all charges, still less because it holds that a public service is in any sense entitled to use all of the money it collects, but merely to show that the obvious purpose of the law to make the cost of the service a charge upon the immediate beneficiaries thereof, the naturalized aliens, rather than upon the public at large, has been more than accomplished, not only during the past year but for the entire period since the law was passed.

If the contrary were the case, however, the Government, having undertaken the business and having decided that \$5 is as much as the applicant in each case should be charged, would be under a manifest obligation to provide so much, irrespective of the amount collected from the fees paid, as is shown to be necessary to secure an effective administration of the law. In other words, the same principle should apply in making appropriations for the administration of the naturalization service as controls the providing of supplies for branches of the public service which make no collections for the public Treasury. To hold otherwise would degrade the functions of the Government by commercializing its operations and making the extension of its benefactions a mere matter of barter and exchange, contingent upon the consideration primarily of whether the beneficiaries had paid enough for the benefits received to make the service rendered financially profitable, or at least not a losing operation. The mere statement of this alternative view is sufficient, without argument, to condemn it, whether viewed as a matter of public dignity or in the light of the Government's general practice in providing for the expenditures incurred by the administrative service.

But there is another aspect to this subject. The applicant for citizenship who has paid his fees has an individual interest which leads if it does not justify him in viewing it in a commercial way. Having paid the price charged for a certain service, is he not entitled to the best service that his money thus collected by the Government can defray the cost of? If, when he appears in court, or after he has

been actually naturalized, he for the first time is informed of some failure or omission on his part which a prompt investigation would have disclosed, and finds in the one case that he can not be admitted on the papers already filed or that in the other case his citizenship must be canceled, is it any answer to his just complaint to say that the naturalization officers of the Government could not reach his case sooner on account of the amount of work they were burdened with? He might, if the whole amount of collections had actually been expended and this fact were assigned as a reason for the inadequacy of the service, accept such an answer, because he would doubtless be glad to pay more, or at least he would have the opportunity to avoid another similar disappointment by doing so, since the loss of the fees of \$5 paid by him would be a small element in his disappointment, even to a poor man.

If, on the other hand, it appeared that there were ample funds made up of the fees paid to defray the cost of a larger service, would not such a disappointed alien feel, with some justice, that the Government had taken advantage of him, had failed to observe the implied obligation under which it had exacted his money? With some reason he might argue that if he is taxed to secure the cost of an inadequate administration, the amount of such tax, or so much thereof as is necessary, should be expended to save him from a disappointment resulting wholly from his ignorance, and, further, that the failure of the Government to use such fund showed that in its judgment the fees are excessive, and, accordingly, that the accumulated excess should be returned to those who paid it and the fees thereafter should be reduced, unless it be the purpose simply to tax alienage in this country, in which case the tax should not be confined exclusively to such aliens as aspire to citizenship.

A little reflection will show that the issue is not a trivial one. In a moral sense, the fund collected is a trust fund, the proximate beneficiaries of which are the persons who pay it. The fact that by law the said fees are paid into the Treasury and become part of a fund subject to drafts by the Congress for almost any purpose does not conflict with this view. Such a temporary disposal of the fees does not merge them indistinguishably into the fund of which they constitute a part, for a separate account is kept of them in two departments, nor is there anything to indicate that the purpose of such a provision was to make the fees a portion of the general resources of the Government raised by Federal taxation to be applied to defraying, without distinction, its general expenses. Rather, the design seems to have been merely to check the recurrence of certain experienced administrative extravagances by retaining in that branch of the Government which controls the appropriations of the public funds the opportunity to pass upon the specific amounts needed for the administrative expenses. Under this view, the applicants for citizenship are entitled to the use of the total amount of the fees collected from them, if it appears that so much is required to maintain an effective administrative service. Until such fund is so used and it thereafter appears still to maintain but an inadequate service, it is superfluous, both on the score of dignity and of benefits received, to urge that additional funds should be supplied by the Government.

CONCLUSION.

In submitting this report it will be noted that but little reference is made to the figures set forth in the tables. That practice was pursued in former reports merely to indicate how, by means of them, much valuable information might be obtained as to the sources from which we draw large annual additions to the great body of American citizenship, and the effects, both moral and political, such additions may be presumed to have upon that body. If those sources be morally impure, or, though morally pure, if they be at variance with or directly opposed to those principles which fundamentally distinguish our form of government, the results must endanger the preservation of our system of protecting the three foundation rights of life, liberty, and the pursuit of happiness and incur the risk of substituting for its tried merits some other plan which, however meritorious in a theoretical view, may be revolutionary in its immediate operation and uncertain in its ultimate effects. This danger does not depend merely upon the number of hostile additions to our citizenship, for a single man of strong will and divided views may sway thousands.

Let any man who is disposed to make light of such risks consider the host of new schemes, social, industrial, and political, which in the last decade have grown in the public estimation from the speculations of mere visionaries to the avowed principles of more or less considerable organizations or parties—all to be vitalized, be it remembered, through the passage of laws enacted under the forms of our present system of popular representative government and to be protected from the judicial veto by making the legislative power the final authority upon all questions of constitutionality.

The present naturalization law vindicates the wisdom of "the fathers," for after a most unusual study and consideration, and with the benefit of a century of actual experience, it embodies the qualifications for naturalization that they had originally considered essential. The changes were such merely as experience had shown to be necessary to insure the existence of those qualifications in each instance. So far as legislation is concerned, therefore, there is ample protection against the naturalization of aliens who, after five years of continuous residence in this country, are not, as shown by the investigation of an examiner, "attached to the principles"—not the mere provisions—"of the Constitution of the United States, and well disposed to the good order and happiness of the same."

The Division of Naturalization knows, from an actual daily experience with them extending over six years, that the judges as a body may be depended upon implicitly to discharge with fidelity the high function imposed upon them by the law of naturalizing only such aliens as are qualified to become citizens. A remedy for any error in this regard may now be had, since the decision of the Supreme Court in the Johannessen case makes naturalization cases reviewable upon cancellation proceedings.

But the judges can pass only upon what is before them. If that consists solely of the ex parte statements made by a petitioner and his friendly witnesses, what can a judge do but grant the petition, unless by a happy accident in cross-examination he develops some contradiction of those statements? Nothing. What was formerly

left to chance, and at the cost of the consumption of much valuable time of the courts, is now developed, if any objection exists, by skilled investigators and presented with definiteness and the minimum expenditure of time at the hearings. The value of this plan has been demonstrated by experience and is freely acknowledged by the courts. It is, indeed, the means above all others by which the supervision of the administration of the law, imposed as a duty upon the Secretary of Commerce and Labor, is made effective. So far as it is not in use, the present law, despite the executive feature of it, is practically little better than the one it succeeded.

It follows, then, that the paramount need, for which an appeal must be made in behalf of good administration and practical results, is sufficient funds to secure the number of examiners needed for this work, and for enough clerical aid to keep the business of examination of papers up to date in the Division. Everything else is of secondary importance.

There is need of certain legislation urged annually for the relief of particular classes, such as honorably discharged soldiers, seamen, etc., who are now often at a disadvantage as compared with other aliens in securing citizenship. A bill for this purpose has been pending in Congress for several sessions, and the hope is entertained that it may become a law during the current year.

This report is respectfully submitted, however, with the firm conviction that what is now most needed to make the service entirely successful is such an increase in the clerical force of the Division as will enable it to dispose promptly of the accumulated arrearages and to keep up thereafter with the business of the office as it comes in, and such an enlargement of the official force of examiners as will enable that branch of the service to accomplish the purposes of its creation.

Respectfully,

RICH. K. CAMPBELL,
Chief, Division of Naturalization.

TO HON. DANL. J. KEEFE,
Commissioner General of Immigration.

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